

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

**EMMITT LEWIS,**

Petitioner,

**v.**

**LARRY SMALL, Warden,**

Respondent.

Case No. C 09-2357 WHA

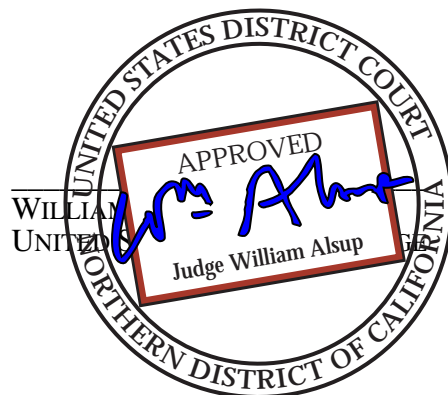
**[PROPOSED] ORDER**

GOOD CAUSE APPEARING, it is hereby ordered that respondent may have until October 26, 2009, to file an answer to the petition for writ of habeas corpus or any other responsive motion.

Petitioner may file and serve a traverse, if any, within thirty (30) days of his receipt of the answer.

**IT IS SO ORDERED.**

Dated: September 28, 2009.



**DECLARATION OF SERVICE BY U.S. MAIL**

Case Name: **Emmitt Lewis v. Larry Small**

No.: **C 09-2357 WHA**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter; my business address is 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004. On September 24, 2009, I served the attached:

**1. APPLICATION FOR ENLARGEMENT OF TIME TO FILE ANSWER;  
2. DECLARATION OF COUNSEL IN SUPPORT OF APPLICATION FOR  
ENLARGEMENT OF TIME TO FILE ANSWER; and 3. (Proposed) ORDER**

by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Mail at San Francisco, California, addressed as follows:

Emmitt Lewis, #F60445  
Calipatria State Prison  
P.O. Box 5005  
Calipatria, CA 92233

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on September 24, 2009, at San Francisco, California.

\_\_\_\_\_  
J. Espinosa

Declarant

\_\_\_\_\_  
/s/ J. Espinosa

Signature